IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY FIFTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 6296 of 2005

Between:

Sri Balaji Rural & Educational Trust, Main Road, Hindupur, Ananthapur District, rep. by its Chairperson Dr. B.V. Balaji.

... PETITIONER

AND

The Government of Andhra Pradesh, Rep. by its Principal Secretary, Medical and Health, Secretariat, Hyderabad.

...RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court be pleased to issue an order, writ or direction more particularly in the nature of writ of mandamus declaring the action of the respondent in not issuing G.O to establish MPHW(F) to the petitioner's society is illegal, arbitrary, and violation of the principles of natural justice and consequently direct the respondent to consider the representation dt. 18-9-2004.

Counsel for the Petitioner: MR.K.VISWANATHAM

Counsel for the Respondent: GP FOR MEDICAL HEALTH & FAMI.WELFARE

The Court at the stage of admission made the following:

ORDER:

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This writ petition is filed seeking writ of Mandamus declaring the action of the respondent in not issuing the orders in favour of the petitioner trust to establish MPHW(F) as arbitrary and illegal and consequently to direct the respondent to consider the representation dated 18-09-2004.

The petitioner trust, in pursuance of the notification issued by the Chairman, Selection Committee for Paramedical Institutions, has submitted its application complying with all the requirements. In pursuance thereof, the Chairman, Selection Committee appointed inspection team, which has inspected the petitioner trust and submitted its report. Thereafter, the petitioner was also informed that the case of the petitioner has been recommended by the Committee for establishment of Multi Purpose Health Workers (Female) trust with an intake of twenty candidates. The only grievance of the petitioner is that the respondent has failed to take further steps on the basis of the said recommendation and no orders have been passed, so far. The petitioner has also made a representation dated 18-09-2004 requesting to take further steps on the basis of the recommendation made by the Secretary, Selection Committee for Paramedical Institutions and also to increase the intake of the candidates from twenty to forty; however, the respondent has not taken any steps. Hence, this writ petition.

I have heard the learned counsel for the petitioner and the learned Government Pleader for Medical and Health appearing for the respondent.

Having regard to the facts and circumstances of the case and particularly in view of the fact that the case of the petitioner has been recommended by the Secretary, Selection Committee for Paramedical Institutions, I deem it appropriate to dispose of the writ petition with a direction to the respondent to consider the representation of the petitioner dated 18-09-2004 and pass appropriate orders, in accordance with law, as expeditiously as possible, preferably within a period of four weeks from the date of receipt of a copy of this order and communicate the same to the petitioner.

The Writ Petition is accordingly disposed of. No order as to costs.

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G. ROHINI, J

Dated: 25-03-2005

LSK

ASSISTANT REGISTRAR

To

1. The Principal Secretary, Government of Andhra Pradesh,
   Medical and Health, Secretariat, Hyderabad.

2. Two C.Cs. to the Government Pleader for Medical and Health, High Court Buildings, Hyderabad. (OUT)

3. Two C.D. copies.